

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

KOCH FOODS OF ALABAMA LLC,)
an Alabama limited liability company)
)
Plaintiff ,)
)
v.) CIVIL ACTION NO. 2:07-cv-522-MHT
)
GENERAL ELECTRIC CAPITAL)
CORPORATION, a Delaware)
corporation)
)
Defendant and Counter-Plaintiff.)
)

ORDER

Pending before the Court is *Koch Foods' Motion to Compel the Depositions of Jim Hanley and Carrie Brock, and to Compel the Production of Documents Relating to Depreciation and Tax Deductions* (Doc. 37, filed December 5, 2007) and *GE Capital's Response to Koch Foods' Motion to Compel the Depositions of Jim Hanley and Carrie Brock, and to Compel the Production of Documents Relating to Depreciation and Tax Deductions* (Doc. 50, filed December 12, 2007). A hearing was held on the motion on December 17, 2007. For good cause, it is **ORDERED** as follows:

- (1) The portion of the motion relating to the tax documents is **DENIED as moot**. Koch Foods' counsel withdrew that portion of the motion at the hearing and thus the request is rendered moot.
- (2) The motion is **DENIED** with respect to the deposition of Carrie Brock.

(3) The motion is **GRANTED** with respect to the deposition of Jim Hanley. The deposition will be held in Danbury, Connecticut and is limited to two (2) hours.

(4) The depositions previously scheduled for December 17, 2007 shall be rescheduled and, further, shall take place in Danbury, Connecticut. All remaining depositions shall take place **on or before December 31, 2007**.

DONE this 18th day of December, 2007.

/s/Terry F. Moorer
TERRY F. MOORER
UNITED STATES MAGISTRATE JUDGE